



09653342.121602

[10191/1577]

RECEIVED

DEC 17 2002

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare **OFFICE OF PETITIONS**

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **SWITCHING CONTROLLER**, the specification of which was filed as PCT International Application No. **PCT/DE98/03741 on December 21, 1998**, now U.S. Serial No. 09/623,342.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

Number	Country	Day/month/year filed	Priority Claimed Under 35 USC §119
198 09 385.3 ✓	Fed. Rep. of Germany ✓	05 March 1998 ✓	Yes

3 -

And I hereby appoint Richard L. Mayer (Reg. No. 22,490), Gerard A. Messina (Reg. No. 35,952) and Michelle M. Carniaux (Reg. No. 36,098) my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Please address all communications regarding this application to:

KENYON & KENYON
One Broadway
New York, New York 10004

Please direct all telephone calls to Richard L. Mayer at (212) 425-7200.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful and false statements may jeopardize the validity of the application or any patent issued thereon.

1-01 Full name of inventor Franz OHMS (Deceased)
Citizenship: Federal Republic of Germany ✓
Address: Reuteweg 14
74420 Oberrot DEX
Federal Republic of Germany

FOR Franz OHMS (Deceased)

1-11 Name: Gabriele OHMS
Citizenship: Federal Republic of Germany ✓
Residence: Reuteweg 14
74420 Oberrot DEX
Federal Republic of Germany

Post Office Address Same as Above

Signature Gabriele Ohms Date 30. Oktober 2002

Gabriele Ohms

(Print Or Type Name)

- ☒ Sole Heir To The Estate Of
Franz OHMS (Deceased).
- ☐ Administrator(trix) To The Estate Of
Franz OHMS (Deceased).
- ☐ Executor(trix) To The Estate Of
Franz OHMS (Deceased).